

**DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION**

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HELENA, MONTANA 59620-1601**DECISION MEMO
CATEGORICAL EXCLUSION**

2022 Missoula County Weed District Flowering Rush Biological Control

January 26, 2022

Montana Biocontrol Coordination Project/Missoula County Weed District
Sidney, MT and Delemont, Switzerland
Richland**PURPOSE AND NEED**

This project will bring the flowering rush weevil *Bagous nodulosus* to the ARS quarantine lab in Sidney and provide training to rear weevils for future release in to infested waterbodies. CABI will also continue investigating the suitability of the agromyzid fly *Phytoliriomyza ornata* as another potential biocontrol agent for flowering rush.

A petition to APHIS TAG to bring the flowering rush weevil into the US will be submitted in January 2022. A multi-agency Flowering Rush Biocontrol Consortium had been founded in 2013 to coordinate development and eventual release of agents in the northwest US and western Canada. In more recent years, after recognition that flowering rush had spread throughout the entire Columbia River, the Columbia Basin Cooperative Weed Management Area group was formed. In 2019 the CBCWMA completed the "Columbia Basin Flowering Rush Management Plan: A regional strategy to address *Butomus umbellatus* throughout the Columbia Basin". This is a multi-agency integrated weed management plan.

Flowering rush (*Butomus umbellatus*) is a perennial aquatic plant of European origin that was introduced to North America as an ornamental over 100 years ago. It has developed into an aggressive invader of freshwater systems especially in the mid-western and western states of the US and western Canada. It is a State listed noxious weed in Montana and the 3 other northwest states (ID, OR, WA) of the Columbia River Basin. Since no effective large area control methods were available, a biological control project was initiated in spring 2013 when CABI Switzerland was subcontracted to conduct surveys for natural enemies in the Eurasian areas of origin of flowering rush.

Numerous Federal, state, and Canadian provincial agencies have been funding the flowering rush biocontrol development efforts since 2013. The Montana Department of Agriculture was the first entity providing financial support for the biocontrol efforts. We anticipate \$163,794 funding for 2022 from six entities in addition to this MT DNRC AIS proposal.

DNRC will approve the grant to provide funding for the 2022 Missoula County Weed District Flowering Rush Biological Control Project.

DNRC is not required to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) for actions that qualify for a CATEGORICAL EXCLUSION (ARM 36.17.614) or justified by a PROGRAMMATIC REVIEW; or are ACTIONS OF A SPECIAL NATURE (ARM 36.2.523(5)); or are EMERGENCIES (ARM 36.2.539). These actions are subject to review for EXTRAORDINARY CIRCUMSTANCES that would require an EA or an EIS.

ACTIONS OF SPECIAL NATURE (ARM 36.2.523)

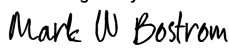
- ☐ Administrative actions: routine, clerical or similar functions of a department, including but not limited to administrative procurement, contracts for consulting services, and personnel actions.
- ☐ Minor repairs, operations, or maintenance of existing equipment or facilities.
- ☐ Investigation and enforcement: data collection, inspection of facilities or enforcement of environmental standards.
- ☐ Ministerial actions: actions in which the agency exercises no discretion, but rather acts upon a given state of facts in a prescribed manner.
- ☐ Actions that are primarily social or economic in nature and that do not otherwise affect the human environment.

CATEGORICAL EXCLUSION/PROGRAMMATIC REVIEW

- ☒ Categorical Exclusion (CE) refers to a type of action which does not individually, collectively, or cumulatively require an EA or EIS, as determined by rulemaking or programmatic review adopted by the agency, unless extraordinary circumstances, as defined by rulemaking or programmatic review, occur. This project qualifies under ARM 36.17.614 CATEGORICAL EXCLUSIONS.
- ☐ Programmatic review means an analysis (EIS or EA) of the impacts on the quality of the human environment of related actions, programs, or policies. DNRC – CARDD does not have any programmatic reviews completed at the time of this template.

The project listed above meets the definition of Actions of a Special Nature, Categorical Exclusion or Programmatic Review including specified conditions and Extraordinary Circumstances Included below is a supplemental checklist verifying the use of the Categorical Exclusion.

Prepared By:	Name: Emily Moran, MISC Title: Administrative Assistant Email: Emoran@mt.gov Date: 2/7/2022
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Approved By:	Name: Mark Bostrom Title: CARD Division Administrator
Signature:	<small>DocuSigned by:</small>  Date: 2/11/2022 8:44:18 AM MST <small>BF7A1C50B2AF4DE...</small>

DNRC CARDD DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name: 2022 Missoula County Weed District Flowering Rush Biological Control

Brief Description: Montana Biocontrol Coordination Project/Missoula County Weed District

Agreement Number: AIS-22-0032

Date: 2/7/2022

Preparer: Emily Moran

The Department of Natural Resources and Conservation action under 36.17.614, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) if the application for department review is for any of the following projects:

(a) Projects relating to existing infrastructure systems such as sewer and septic systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems, dams, culverts, headgates, canal lining, siphons, pipelines, pump sites, lift stations, irrigation infrastructure, that involve:

[Answer yes or no. If all answers "no", an EA or EIS must be completed. If any answer is yes, skip to (b).]

1. No - Minor upgrading; or
2. No - Minor expansion of system capacity; or
3. No - Rehabilitation (including functional replacement) of the existing system and system components; or
4. No - Construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or
5. No - Projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges; or
6. No - Use of sampling and monitoring wells to test for the presence of contaminants such as, but not limited to, metals and petroleum; or
7. Yes - Activities that do not involve or lead directly to construction, such as planning studies, scientific research and analysis, surveys, or engineering.

(b) A categorical exclusion may NOT be granted for a department action if:

[Answer yes or no. If all answers "no", skip to (c). If any answer is yes, an EA or EIS must be completed.]

1. No - The action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;
2. No - The action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;
3. No - The action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;
4. No - The action is not supported by the state, or other regional growth plan or strategy;
5. No - The action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;
6. No - The department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;
7. No - The department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 36.2.524, or might possibly affect:

- (i) sensitive environmental or cultural resource areas; or
- (ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the reviewer will then complete items below as follows:

[Once all steps are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

1. Yes - Project meets the above Categorical Exclusion criteria.
2. Yes - DNRC determination of Categorical Exclusion.
3. Yes - DNRC distributes the Notice of Determination.
4. Yes - Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.
5. NA - Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below if revocation of a previously implemented CATEX becomes necessary.]

1. Choose an item. - The project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;
2. Choose an item. - The proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;
3. Choose an item. - New evidence demonstrates that serious local or environmental issues exist; or
4. Choose an item. - State, local, tribal, or federal laws may be violated.

Emily Moran

DNRC CARD Division STATE PREPARER

Demi Blythe – MEPA/NEPA Coordinator

DNRC CARD Division STATE REVIEWER

DocuSigned by:

Demi Blythe

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2/10/2022

COMPLETION DATE